

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 05-0556 MHP

Plaintiff(s),

**ORDER REVOKING SUPERVISED  
RELEASE AND JUDGEMENT**

v.

CHARLES ROYBAL,

Defendant(s).

This matter came on pursuant to an Order to Show Cause why supervised release should not be revoked. Defendant appeared in person with his attorney Daniel Blank. The United States was represented by Assistant United States Attorney Nahla Rajan.

The defendant was advised of the following:

1. His right to a hearing on the alleged violations of supervised release;
2. His right to confront and cross-examine witnesses;
3. His right to produce evidence and witnesses at the hearing without cost to him if he could not afford the same;
4. His right to continue to have court appointed counsel represent him throughout the proceedings; and
5. The nature of the revocation proceedings and the consequences if a violation was found and supervised release revoked or modified.

The court finds that defendant was fully advised of his constitutional and statutory rights in connection with these proceedings either as a basis for modification or revocation; that he fully understands the nature of the proceeding and the defenses that he may assert in the proceeding; that he fully understands the consequences of the proceeding; and that he freely and voluntarily waives

1 his right to a hearing, his counsel consenting thereto.

2 The court finds that the defendant has admitted to the violations as alleged in the petition to  
3 revoke and that such violations are sufficient cause to revoke supervised release.

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5 Charge 2: Violation of Standard Condition Seven that defendant shall not use any  
6 controlled substance except as prescribed by a physician, in that on or about  
7 September 20, 2005, defendant submitted a urinalysis test which tested  
8 positive for the use of amphetamine and methamphetamine.

9  
10 Based on the foregoing,

11 IT IS ADJUDGED that supervised release be and is hereby REVOKED and that defendant  
12 is remanded into the custody of the Attorney General or his authorized representative for a term of  
13 three (3) months with credit for time served, with a further Term of Supervised Release for a period  
14 of fifty-seven (57) months, with all conditions as previously imposed and the addition of:

15  
16 The defendant shall participate in a program program for drug abuse, as either an outpatient  
17 or residential, as determined by the probation officer. The defendant is to pay part or all of  
18 the cost of this treatment, at an amount not to exceed the cost of treatment, as deemed  
19 appropriate by the probation officer. Payments shall never exceed the total cost of urinalysis  
20 and counseling. The actual co-payment schedule shall be determined by the probation  
21 officer.

22  
23 The defendant is remanded to the custody of the United States Marshal immediately.

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26 Dated: July 31, 2006

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MARILYN HALL PATEL  
United States District Judge